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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO. 1859 OF 2019

Kailash Prabhat CHS Ltd.

...Petitioner.

vs

Bombay Municipal Corporation & Ors.

...Respondents

.....

Mr. A.A.Siddiqui a/w Ms Farzana Sawant for the Petitioner

Mr. S.B.Gore AGP for the Respondent/State.

Mr. Rajesh Patil a/w Ms Yamuna Parekh and Ms Rupali Adhate for the M.C.G.M.

Mr. Pravin Pargane, Sub-Engineer, h/f Ward of Maintenance Depart from

M.C.G.M. present.

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**CORAM : S. J. KATHAWALLA &
B. P. COLABAWALLA, JJ.
DATE 28 NOVEMBER, 2019.**

P.C. :

Heard the learned Advocates for the parties and by consent the following order is passed :

(i) The Respondents shall complete the process of demarcation of land bearing C.T.S.No.7247 which is the subject matter of the Notice dated 27th June, 2018, under Section 299 of the Municipal Corporation Act (Exh "C" to the Petition) on or before 15th December, 2019 after giving notice of at least 72 hours to the Petitioner or their Advocates.

(ii) Upon the said demarcation being completed and the Corporation calling upon the Petitioner to hand over the subject plot to the Petitioner, the

Petitioner shall hand over the same to the Corporation.

(iii) In the event of any dispute/s between the parties pertaining to compensation/ TDR payable/ allotted / to be allotted to the Petitioner, the same be resolved by filing proceedings before the appropriate forum. In case of filing appropriate proceedings, the Appropriate Authority shall expedite the proceedings and decide the same at the earliest.

(iv) In view thereof, the Writ Petition is disposed of accordingly.

(B. P. COLABAWALLA, J.)

(S. J. KATHAWALLA, J.)